

Supplemental Non-Final Office Action

1. Please replace paragraph No. 5 in page 7 with the following, the underlined text contains therein the change made to the Official Action:

--5. Claims 1, 2 and 5-8 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for a method for detection of small quantities of antigens/particles by:

- Contacting a sample containing a limited amount of antigen particles having a given maximum particle size and at least two binding sites with a fluid containing a limited amount of antibodies that are capable of binding the at least two binding sites so as to yield a reaction mixture having formed therein antigen-antibody precipitates;
- Directing a light beam through the reaction mixture;
- Detecting a signal by measuring extinction at the light-dark boundary of the cone of light that is produced when the light generated by the laser passes through a measuring cell containing the reaction mixture using a photodetector; whereupon the signal strength depends on the size and number of antigen-antibody precipitates that formed.

does not reasonably provide enablement for the claimed method in which 1) there is a large excess of antibody or 2) there is a large excess of antigen which is encompassed by the currently recited claims, whereupon either occurrence can lead to

inhibition of precipitation referred to as “prozone phenomenon”. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention commensurate in scope with these claims.--

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to GAILENE R. GABEL whose telephone number is (571)272-0820. The examiner can normally be reached on Monday to Thursday, 5:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long V. Le can be reached on (571) 272-0823. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/GAILENE R. GABEL/

Application/Control Number: 10/572,868
Art Unit: 1641

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Primary Examiner, Art Unit 1641

November 12, 2008